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**ALBANY NY 12203**

**MAILED**

**MAY 19 2011**

In re Application of  
Herbert E. Schwartz  
Application No. 10/598,223  
Filed: August 22, 2006  
Attorney Docket No. 3124.006A

: **OFFICE OF PETITIONS**  
:  
: **DECISION ON PETITION**  
:  
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This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed February 28, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an RCE, and an amendment; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office action mailed January 5, 2010, is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This application is being referred to Technology Center AU 3774 for appropriate action by the Examiner in the normal course of business.

/KOC/  
Karen Creasy  
Petitions Examiner  
Office of Petitions